

ORIGINAL

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia-Norfolk

MICHAEL DILDAY

Plaintiff

v.

EQUIFAX INFORMATION SERVICES, LLC, et al.

Defendant

Civil Action No.

2:12CV56

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* BB&T CORPORATION, t/a BB&T SALES FINANCE,

SERVE: Secretary of the Commonwealth
Service of Process Department
P.O. Box 2452
RICHMOND, VA 23218

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Leonard A. Bennett, Robin A. Abbott, Gary L. Abbott, Susan M. Rotkis, CONSUMER LITIGATION ASSOCIATES, P.C., 763 J. Clyde Morris Blvd., Suite 1-A, Newport News, VA 23601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

JAN 30 2012

Signature of Clerk or Deputy Clerk

**AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH**

Commonwealth of Virginia

Va. Code § 8.01-301, -310, -329; 55-218.1; 57-51

Case No.: 2:12cv56

UNITED STATES DISTRICT COURT for the EASTERN DISTRICT OF VIRGINIA - NORFOLK DIVISION

District Court

MICHAEL DILDAY

v.

EQUIFAX INFORMATION SERVICES, LLC,

et al.,

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☐ Warrant ☐ Motion for Judgment ☐ Garnishment Summons ☒ Summons in a Civil Action

I, the undersigned Affiant, state under oath that:

☐ the above-named defendant ☒ BB&T CORPORATION, t/a BB&T SALES FINANCEwhose last known address is: ☒ same as above ☐ CT Corporation System, Registered Agent

150 Fayetteville Street, Box 1011, Raleigh, NC 27101

1. ☒ is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on reverse).
2. ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK) and that

 is the return date on the attached warrant, motion for judgment or notice (see TIMELY SERVICE REQUIREMENT on reverse).

2-7-12

DATE

☐ PARTY ☒ PARTY'S ATTORNEY ☐ PARTY'S AGENT

State of Virginia City of Newport News

Acknowledged, subscribed and sworn to before me this February day of 2012

 NOTARY REGISTRATION NUMBER 208167
 NOTARY PUBLIC (My commission expires: 1/31/16)
☐ Verification of the date of filing of the certificate of compliance requested in the self-addressed stamped envelope provided.

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE THAT THE CERTIFICATE OF COMPLIANCE IS FILED WITH THE ABOVE-NAMED COURT.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

1. On FEB 09 2012, legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
2. On FEB 14 2012, papers described in the Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

 SERVICE OF PROCESS CLERK, DESIGNATED BY THE AUTHORITY OF THE
 SECRETARY OF THE COMMONWEALTH